UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
OKSANA S. BAIUL,	Civil Action No.: 13-cv-02205-KBF
Plaintiff,	
- against -	
NBC UNIVERSAL MEDIA, LLC, NBC SPORTS, NETWORK, LP, and DISSON SKATING, LLC,	ECF CASE
Defendants.	
OKSANA S. BAJUL and OKSANA, LTD,	Civil Action No.: 13-cv-02208-KBF
Plaintiffs,	15-CV-02208-KBF
– against –	
STEPHEN DISSON and DISSON SKATING, LLC,	ECF CASE
Defendants.	

DECLARATION OF STEPHEN DISSON

- I, STEPHEN DISSON, declare as follows under penalty of perjury:
- I am an officer and principal of Defendant Disson Skating, LLC ("Disson Skating")
 in the above-captioned actions. I respectfully submit this Declaration in support of Defendants'
 motions for summary judgment. I have personal knowledge of all facts stated herein.
- 2. While my deposition testimony covers much of the factual issues raised by these motions, I wish to clarify a few points for the record.
- 3. First, it was not until August 8, 2011 that I learned that Plaintiff Oksana Baiul ("Baiul") was backing out of the two skating shows in which she agreed to perform, namely the Improv-Ice show with the band Styx in December 2011 in Greenville, S.C. ("Improv-Ice Show") and

the Skating Romance Show in Kent, WA in January 2012 with recording artist Kenny G ("Romance Show"). I learned this from an August 8, 2011 email from Baiul's agent, Steve Martin.

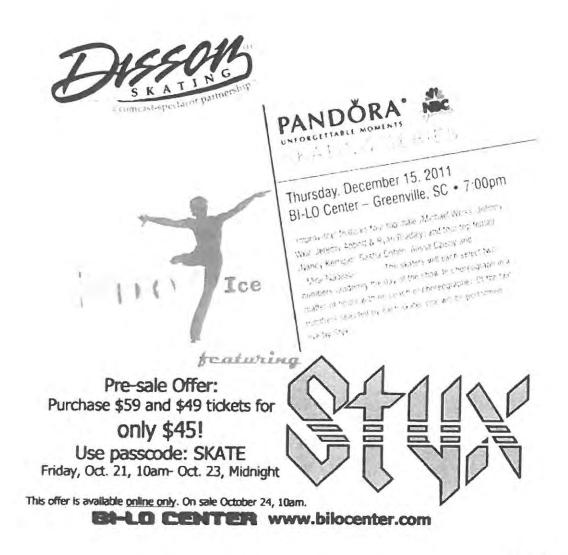
- 4. Second, Defendant Disson Skating, which is a Virginia entity and was not formed until March 2012, had no involvement with these shows because these shows predate its existence. These shows were produced by a separate entity Disson Skating LLC of Pennsylvania ("Disson PA").
- 5. Third, the venues for these two shows the BI-LO Center and the Showare Center
 paid for all advertising for these events, not Disson PA.
- 6. Fourth, none of the income generated from these two shows was in any way caused by Disson PA's extremely limited use of Baiul's name and likeness. At the time that all of the sponsors for these shows agreed to be sponsors, they all had been informed of the current skating cast list, which did not include Baiul.
- 7. Fifth, copies of all of the print and internet advertising for the Improv-Ice Show are attached hereto as Exhibit 1, none of which mention Baiul. Furthermore, copies of all of the print and internet advertising for the Romance Show are attached hereto as Exhibit 2, none of which mention Baiul.
- 8. Sixth, all of the radio advertisements for these two shows are contained on a CD-Rom, which is Exhibit 3 hereto. None of these advertisements mention Baiul.
- 9. Seventh, as to the alleged Entertainment Hotline posting, which apparently mentioned Baiul, Disson PA had no involvement with this posting and I only learned of it after Baiul commenced litigation in 2013.

10. I declare under penalty of perjury that the foregoing is true and correct.

Dated: McLean, Virginia October 22, 2013

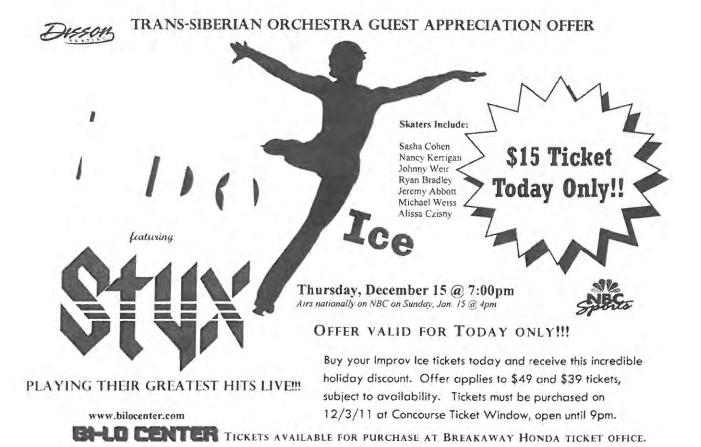
STEPHEN DISSON

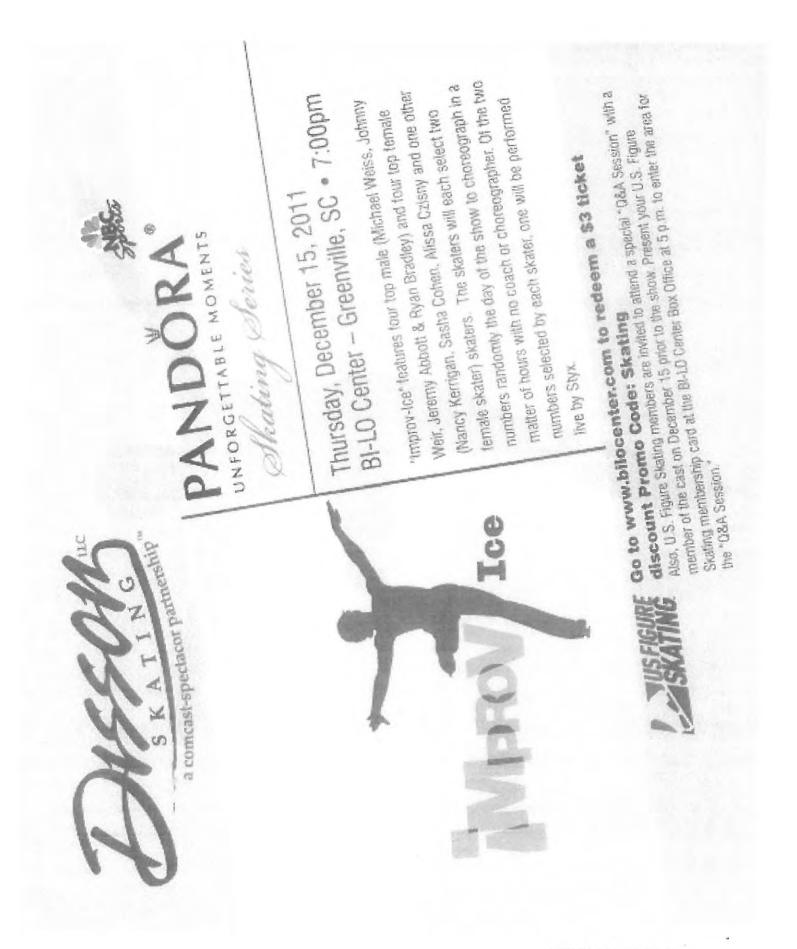
Ex. 1



DISSON 000345









To celebrate BI-LO's 50th Anniversary, we are offering 2 tickets for \$50!

Coupons available at Customer Service Center.



skating to music performed LIVE by

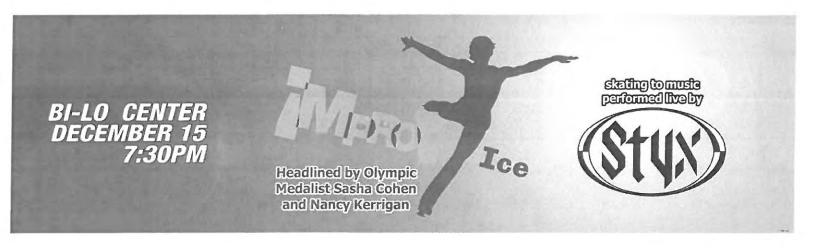


December 15·7:30pm

BI-LO CENTER

www.bilocenter.com

*Available on \$49 and \$39 seats. Additional fees apply. Limit 8 . Subject to availability.



NATIONALLY BROADCAST CONCERT EVENT WATH STYX

RYAN BRADLEY, NICOLE BOBEK, JEREMY ABBOTT,
MIRAI NAGASU, MICHAEL WEISS, AND JOHNNY WEIR

SKATING TO MUSIC PERFORMED LIVE BY STYX

ticketmaster 800-745-3000

-LO CENTER DECEMBER 15TH

GET YOUR HOLIDAY FAMILY 4-PACK OF TICKETS FOR ONLY \$85

December 15 BI-LO CENTER

Headlined by Olympic

Headlined by Olympic Medalist Sasha Cohen and Nancy Kerrigan BI-LO
For BI-LO's 50th Anniversa

For BI-LO's 50th Anniversary
we are offering
2 ticket for \$50!
N 001

Pick up discount coupon at Customer Service Center.

skating to music performed live by









Thursday, December 15, 2011

BI-LO Center – Greenville, SC • 7:00pm

"Improv-Ice" features tour top male (Michael Weiss, Johnny
Weir, Jeremy Abbott & Ryan Bradley) and four top temale
(Nancy Kerrigan, Sasha Cohen, Alissa Czismy and
The skaters will each select two
Mirai Nagasu.)

Mirai Nagasu.)

numbers randomly the day of the show to choreograph in a
matter of hours with no coach or choreographer. Of the two
matter of hours with no coach skater, one will be performed
numbers selected by each skater, one will be performed

featuring

Pre-sale Offer:

Purchase \$59 and \$49 tickets for \$45.7 4

Use passcode: SKATE

Friday, Oct. 21, 10am- Oct. 23, Midnight



This offer is available online only. On sale October 24, 10am.

BI-LD CENTER www.bilocenter.com

Ex. 2



An evening of majestic figure skating choreographed to LIVE musical performances



Performance Date: January 26, 2012 NBC National Air Date: February 4, 2012

ShoWare Center's intimate configuration for an ice skating performance and its rising reputation as a premier concert venue in the Pacific Northwest make it an ideal host for "Pandora Unforgettable Moments of Love on Ice" part of the Pandora NBC Skating Series presented locally by The Joint Center at Valley Medical Center.

The evening will feature amazing athletes from the world of figure skating choreographed to LIVE musical performances by & Kenny G Gladys Knight.

The event will be filmed for broadcast on NBC TV nationally on Saturday, February 4, 2012, locally on KING 5 originating from Kent, Washington.

Reserved seats are \$39.50, \$59.50, \$69.50 & \$125 plus fees, and are on sale now at ShoWare Center's Box Office. ShoWareCenter.com Facebook/ShoWareCenter or by phone 253.856.6999. Special all-inclusive dinner packages available for \$100, suites and special pricing available for groups of 10 or more.

Show Hosts:







Musical Guests:



Kenny G Biggest-selling instrumental musician of the modern era Sold more than 75 million albums worldwide. Holiday album "Miracles" is the best selling holiday album of all-time.



Gladys Knight 7-time GRAMMY Winner Hits include "Every Beat of My Heart,"
"I Heard it Through the Grapevine,"
"If I Were Your Woman," "Best Thing to Ever Happen to Me," #1 smash "Midnight Train to Georgia."

Cast of Skaters:



Ekaterina Gordeeva



Ilia Kulik



Joannie Rochette Miki Ando Ilia Kulik 2010 Olympic Bronze Medalist
1998 Olympic Gold Medalist 2009 World Silver Medalist bx Canadian National Champion



2010 Olympic Silver Medalist 2007 & 2011 World Champion 3x Japanese National Champion



Ryan Bradley Sasha Cohen



2006 Olympic Silver Medalistx British National Champion 2006 US National Champion



Steven Cousins Marie-France



Dubreuil & Patrice Lauzon



Kurt Browning Four-Time World Champic Four-Time Canadian Cham

Presented By:





VALLEY MEDICAL CENTER DISSON/001353





KENNY G & GLADYS KNIGHT

in Pandora Unforgettable Moments of Love On Ice featuring amazing athletes from the world of figure skating choreographed to love-themed music performed LIVE! Hosted by Kristi Yamaguchi & Nancy Kerrigan



Ekaterina Gordeeava 2x Olympic Gold

Sasha Cohen '06 Olympic Silver

Joannie Rochette '10 Olympic Bronze

Plus... Ilia Kulik, Kurt Browning, Miki Ando, Ryan Bradley, Steven Cousins and Marie-France Dubreuil & Patrice Lauzon.

Tickets start at \$39.50 available at ShoWare Centersom, 253.856.6999 or at ShoWare Center's Box Office, Kent.

Sponsored by The Joint Center Valley Medical Center



January 26, 7:00 PM

TAG FOR TICKETS!

Use your SMARTPHONE to download Microsoft TAG reader, scan this TAG and you will be eligible to win a PAIR OF TICKETS to KENNY G & GLADYS KNIGHT with nine champion figure skaters performing to love-themed LIVE MUSICAL event that you will not want to miss. Tagging to WIN will continue until January 21, the more you TAG the more chances to WIN!



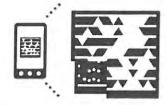
Telecast on NBC Sports



Kenny G & Gladys Knight joined by championship skaters:

Ekaterina Gordeeva Sasha Cohen Joannie Rochette Ilia Kulik Kimmie Meissner

Ryan Bradley Kurt Browning Mika Ando Steven Cousins



Get the free mobile app at http://gettag.mobi



DISSON 001688





PANDÖRA presents



Live Music



Gladys Knight Kenny G





Graceful skating from: Ekaterina Gordeeva Sasha Cohen Joannie Rochette Ryan Bradley & more!

Thursday, January 26 - 7:00 PM at ShoWare Center - Kent

Ask your Ben Bridge Associate for Details!



Sponsored by

The Joint Center



PANDÖRA® presents

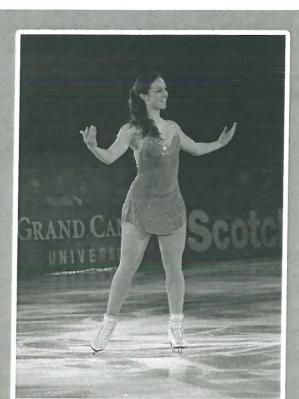






Kenny G Gladys Knight





MEET US Figure Skater
KIMMIE MEISSNER
'06 World Champion
'07 US Champion
This Saturday at 1:00 PM
Pandora - Southcenter Mall

Thursday, January 26 - 7:00 PM at ShoWare Center - Kent

Ask your Ben Bridge Associate for Details!

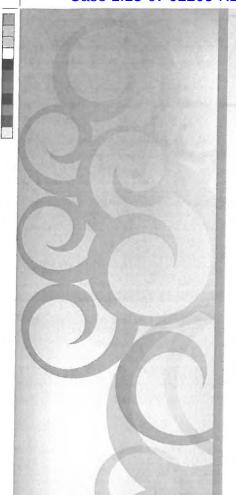


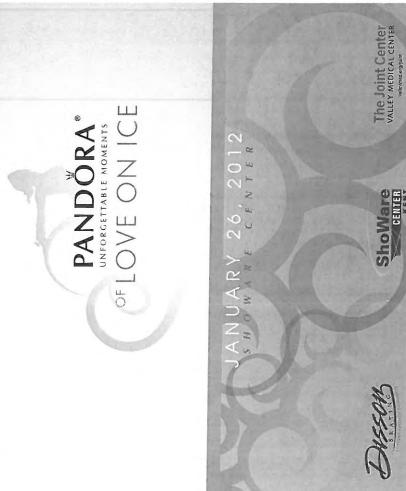
Sponsored by

The Joint Center

VALLEY MEDICAL CENTER









DISSON 000800





JANUARY 26-31

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With Ring Upon Ring, you build a look that is more and more you. Max and match from a collection of inspired, hand-inclided designs until you know you have it exactly right. Then take your migs henre and combine them again and again to fit any occasion.

PANDORA,net

ON Pay, No. 2 (2017) Self-A. C. 2011 Parsidiza Essados, 1317 + A.C. a.



-January 26, 7PM=

PANDÖRA* UNFORCETTABLE MOMENTS OF LOVE ON ICE

ShoWare

KENNY G & GLADYS KNIGHT in Pandora Unforgettable Moments of Love On Ice featuring amazing athletes from the world of figure skating choreographed to love-themed music performed LIVE! Hosted by Kristi Yamaguchi & Nancy Kerrigan



Ekaterina Gordeeava 2x Olympic Gold

Sasha Cohen '06 Olympic Silver

Joannie Rochette '10 Olympic Bronze

Plus... Ilia Kulik, Kurt Browning, Miki Ando, Ryan Bradley, Steven Cousins and Marie-France Dubreuil & Patrice Lauzon.

Tickets start at \$39.50, available at ShoWareCenter.com, 253.856.6999 or at ShoWare Center's Box Office, Kent.

Sponsored by The Joint Center Valley Medical Center



January 26th at 7PM
at ShoWare

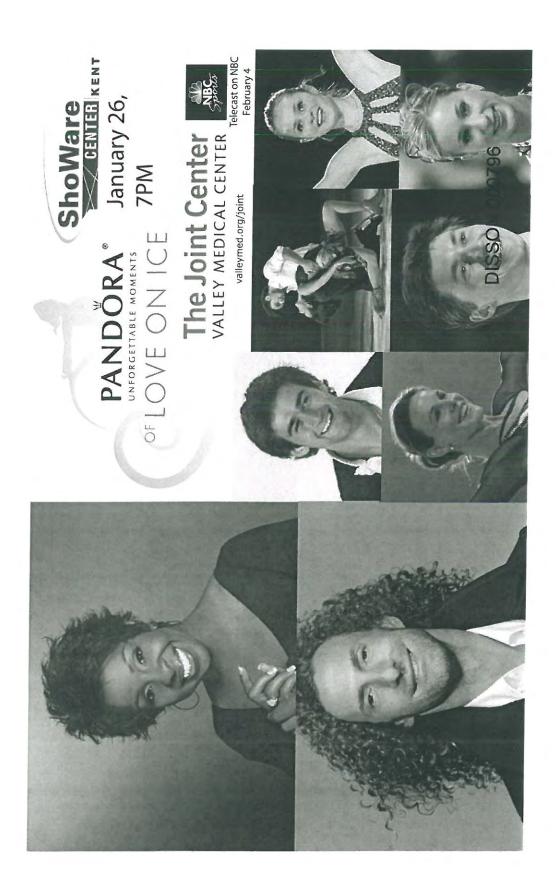


Kenny G & Gladys Knight, in "Pandara's Unforgettable Moments of Love on Ice" featuring amazing athletes from the world of figure skating choreographed to LIVE, love-themed music.

sponsored by

The Joint Center

walleymed.org/joint



DISSON 000804

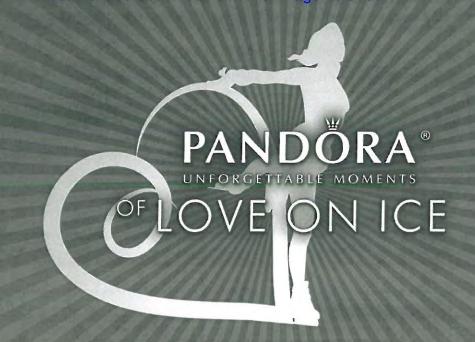
January 26th @ 7:00 PM

Kenny G and Gladys Knight in





Plus Ilia Kulik, Kurt Browning, Miki Ando, Ryan Bradley, Steven Cousins and Kimmie Meissner!



FEATURING AMAZING ATHLETES FROM
THE WORLD OF FIGURE SKATING
CHOREOGRAPHED TO LOVE-THEMED MUSIC PERFORMED LIVE!



Ekaterina Gordeeva 2x Olympic Gold



Sasha Cohen '06 Olympic Silver



Joannie Rochette '10 Olympic Bronze

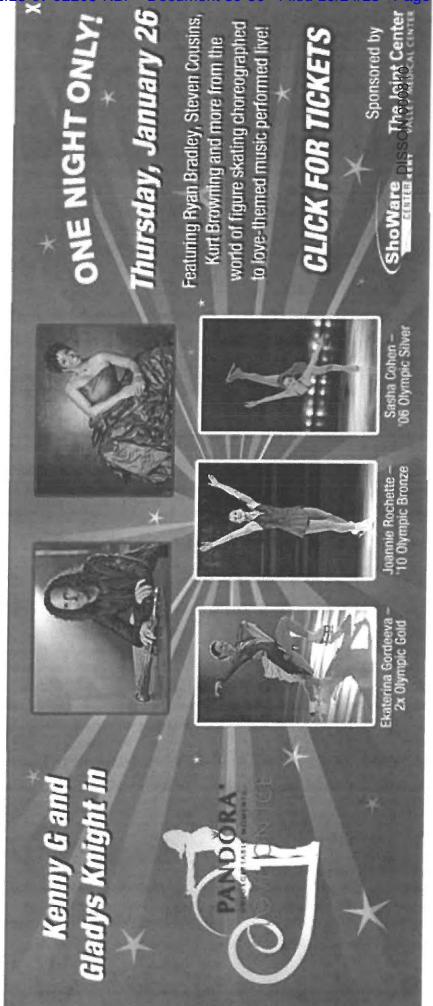
Thursday, January 26 at 7:00 PM Tickets start at \$39.50

Call 253.856.6999, or visit ShoWareCenter.com
Facebook.com/ShoWareCenter or at ShoWare Center's Box Office in Kent.
Telecast on NBC Sports, Saturday, February 4.



Sponsored by

The Joint Center





Kenny G and Gladys Knight in







January 26 7:00pm

FEATURING AMAZING ATHLETES FROM THE WORLD OF FIGURE SKATING CHOREOGRAPHED TO LOVE-THEMED MUSIC PERFORMED LIVE!

Ekaterina Gordeeva





APPEARING:

Joannie Rochette '10 Olympic Bronze





Plus... Ilia Kulik, Kurt Browning, Miki Ando, Ryan Bradley, Steven Cousins and Marie-France Dubreuil & Patrice Lauzon!

Thursday, January 26 at 7:00pm Tickets start at \$39.50

Call 253.856.6999, or visit www.ShoWareCenter.com, Facebook.com/ShoWareCenter or at ShoWare Center's Box Office in Kent.

Telecast on NBC Sports, Saturday, February 4.



Sponsored by The Joint Center

PANDÖRA*

UNFORGETABLE MOMENTS

OF LOVE ON ICE

January 26, 7:00 PM

AG FOR TICKETS

want to miss. Tagging to WIN will continue until January 21, the KENNY G & GLADYS KNIGHT with nine champion figure skaters performing to love-themed LIVE MUSICAL event that you will not this TAG and you will be eligible to win a PAIR OF TICKETS to Use your SMARTPHONE to download Microsoft TAG reader, scan more you TAG the more chances to WIN!

Telecast on NBC Sports

PANDÖRA*

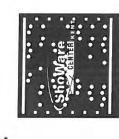
UNFORGETTABLE MOMENTS

OF LOVE ON ICE

Kenny G & Gladys Knight joined by championship skaters:

Ekaterina Gordeeva Sasha Cohen Joannie Rochette Ilia Kulik Kimmie Meissner

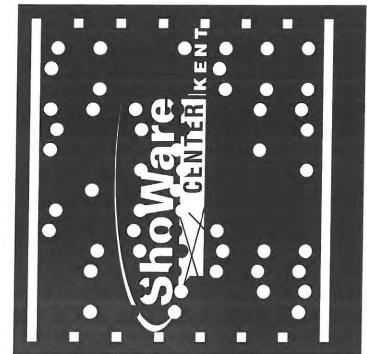
Ryan Bradley Kurt Browning Mika Ando Steven Cousins



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DISSON 000815



WIN

PANDÖRA°
UNFORCETTABLE MOMENTS
OF LOVE ON ICE

January 26 7:00 PM

MCKDTS!

Telecast on NBC Sports

Use your SMARTPHONE to download Microsoft TAG reader, scan this TAG and you will be eligible to win a PAIR OF TICKETS to KENNY G & GLADYS KNIGHT with nine champion figure skaters performing - a love-themed LIVE MUSICAL event that you will not want to miss.

Tagging to WIN will continue until January 21, the more you TAG the more chances to WIN!

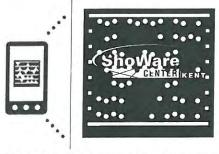
Kenny G & Gladys Knight perform LIVE joined by championship skaters!



Hosted by Kristi Yamaguchi & Nancy Kerrigan Skaters Appearing: Ekaterina Gordeeva Ryan Bradley Sasha Cohen Kurt Browning Joannie Rochette Mika Ando

Ilia Kulik Steven Cousins

Kimmie Meissner



Get the free mobile app at http://gettag.mobi



PANDÖRA*

WIN

PANDÖRA*

UNFORGETTABLE MOMENTS

OF LOVE ON ICE

January 26 7:00 PM

TICKETS!

Telecast on NBC Sports

Use your SMARTPHONE to download Microsoft TAG reader, scan this TAG and you will be eligible to win a PAIR OF TICKETS to KENNY G & GLADYS KNIGHT with nine champion figure skaters performing – a love-themed LIVE MUSICAL event that you will not want to miss.

Tagging to WIN will continue until January 21, the more you TAG the more chances to WIN!

Kenny G & Gladys Knight perform LIVE joined by championship skaters!





Hosted by Kristi Yamaguchi & Nancy Kerrigan







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The Joint Center
VALLEY MEDICAL CENTER
Valleymed.org/joint

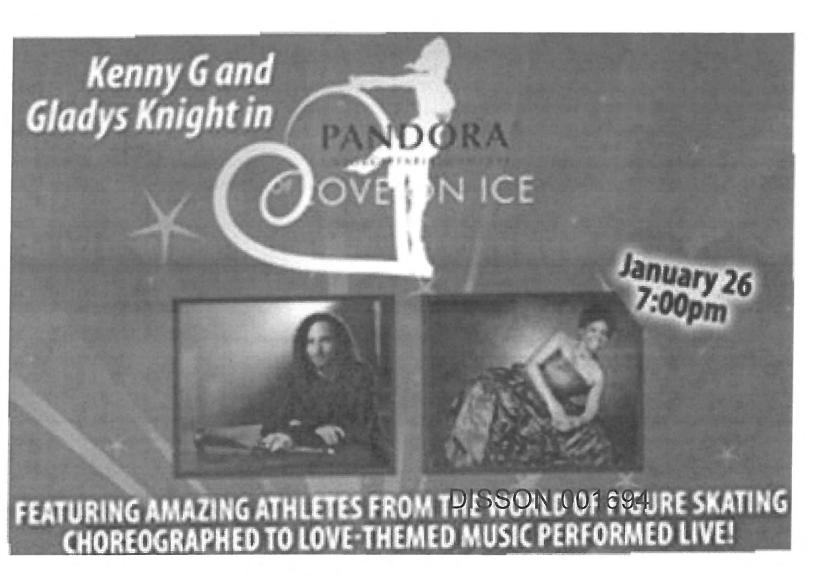


Skaters Appearing:

Ekaterina Gordeeva
Sasha Cohen
Joannie Rochette
Ilia Kulik
Kimmie Meissner
Ryan Bradley
Kurt Browning
Mika Ando
Stemesor Coosins







Ex. 3

